REMARKS

This Amendment is filed in response to the Office Action of February 23, 2009 in which claims 1-15 were rejected.

Cited documents

The Office Action rejected claims 1-13 on the grounds of

D1) US 2002/0167969 A1 (Erikson)

D2) US 2005/0068894 A1 (Yu et al)

Claim rejections under 35 USC § 102

Claim 1 has been amended as follows:

"*A method for reconfiguration to be performed in a wireless system utilizing a flexible layer one to transfer data over* *an* ~~*the*~~ *air interface* ~~*thereof, where a number of transport formats indicating configurations of transport channels carrying data flows are included in a transport format combination, the transport format combination belonging to a transport format combination set indicating transport format combinations valid on a certain basic physical subchannel, and where one transport format combination with a certain transport format combination identifier is dedicated exclusively for signalling use*~~*, said method* *comprises* ~~*having the steps of*~~ *transmitting a transport format combination set reconfiguration message to a terminal over* *a* ~~*said*~~ *certain basic physical subchannel, said transport format combination set reconfiguration message indicating* ~~*the*~~ *one transport format combination with* *a* ~~*the*~~ *certain transport format combination identifier exclusively for signalling use,* *the method further comprises* ~~*; whereby*~~

if *the transport format combination set reconfiguration message indicates* *a change in the size of transport format combination identifiers* ~~*is indicated by the message*~~*, checking a parameter value related to said terminal,* *and* ~~*on the basis of which*~~

~~either~~ starting to use a new configuration indicated by the transport format combination set reconfiguration message~~,~~ or staying with the existing configuration as a result of the checking."

The support for the above amendments is found from old claim 1 itself.

Therefore, amended claim 1 comprises the following features:

F1) a method for reconfiguration to be performed in a wireless system utilizing a flexible layer one to transfer data over an air interface

F2) transmitting a transport format combination set reconfiguration message to a terminal over a certain basic physical subchannel

F3) said transport format combination set reconfiguration message indicating one transport format combination with a certain transport format combination identifier exclusively for signalling use

F4) checking a parameter value related to said terminal, if the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers

F5) starting to use a new configuration indicated by the transport format combination set reconfiguration message or staying with the existing configuration as a result of the checking

D1 (Erikson) (par. [0051]-[0064], figs. 2-5) discloses:

- a method for configuration to be performed in a wireless system utilizing a flexible layer one (~L1) to transfer data over an air interface (~radio interface 17)
- transmitting a configuration message (~radio block 41) to a terminal (~radio transceiver of the MS or BTS, fig. 2) over a certain basic physical subchannel (~GERAN physical subchannel 200)
- said configuration message indicating one transport format combination (~TFC) with a certain transport format combination identifier (~TFCI) exclusively for signalling use

So, D1 (Erikson) lacks at least features F4 and F5.

The differences between amended claim 1 and D1 (Erikson) are checking a parameter value related to said terminal, if the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers and starting to use a new configuration indicated by the transport format combination set reconfiguration message or staying with the existing configuration as a result of the checking.

In D1 (Erikson) it is provided a flexibly configurable layer one transport channels in order to produce radio blocks in response to communication information and extract communication information from the radio blocks.

Whereas, the invention of the pending application focuses to facilitate the maintaining of the workable signalling connection between the entities at the ends of the communication link, even if e.g. the TFCS reconfiguration has not been correctly received or interpreted by one end of the connection, or if the lack of the synchronization in mobilizing the new TFCS has at least temporarily disabled the other data transfer connections.

Consequently, D1 (Erikson)does not disclose the method according to amended claim 1.

There is no hint in D1 (Erikson) or D2 (Yu et al) to combine these documents for obtaining the method according to the invention of the pending application.

Anyway, if the teachings of D2 (Yu et al) are combined with the teachings of D1 (Erikson), if it is possible at all, the combination still lacks at least features F4 and F5 for the same reasons as given above.

Therefore, the combination of D1 (Erikson) and D2 (Yu et al) does not disclose the method according to the amended claim 1.

Claim rejection under 35 USC § 101

In order to overcome the rejection, independent claims 14 and 15 have been cancelled and new independent claims 22 and 23 have been added.

New claim 22 discloses

"*A computer readable medium embodying a computer program comprising code means to execute the method of claim.*"

Support for the new claim is found from cancelled claim. Claim 23 is similar and support is found from cancelled claim 15.

Other claim amendments

- Independent claim 10 has been amended similarly as claim 1 and
- new method and device claims 16-21 for a receiving side have been added and the support for the new claims is found from the description (US publication: par. [0040] and [0044]).

The objections and rejections of the Office Action of February 23, 2009, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-13 and 16-22 to issue is earnestly solicited.

Respectfully submitted,

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